

REMARKS

Claims 1-51 are pending in the present application. Claims 1, 14, 25, 36 and 44 are currently amended. New claims 47-51 have been added. These amendments and new claims are all supported by the application as filed; no new matter has been added.

The Examiner rejected claims 1-10, 12-22, 24-25, 27, 28, 30-36, 38, 39 and 41-44 under 35 USC § 102 as allegedly anticipated by U.S. Patent No. 5,967,983 ("Lawrence"). These rejections are respectfully traversed, for reasons including those set forth below and in Amendments A and B.

Please Note: Applicant's attorney has made several attempts to schedule a telephonic interview to discuss this Office Action and was recently informed that Examiner Capron, who was formerly responsible for this application, has left the USPTO. To the extent that the current Examiner has any remaining doubts about whether every claim in this application should be allowed, Applicant's attorney requests that the Examiner contact him at the number set forth at the end of this Amendment.

Claim Rejections – 35 USC § 102

These rejections are respectfully traversed. However, in order to expedite the prosecution of this application, claims 1, 14, 25, 36 and 44 have been amended in order to distinguish Lawrence yet more clearly. Applicant reserves the right to pursue these claims in their previous form, e.g., in a continuation application or after a discussion with the current Examiner.

For example, claim 1 has been amended to recite "determining a "ways to place" function used to produce the number, wherein the determining step includes determining whether the game is position dependent? . . ." This amendment is supported, for example, by page 11, lines 5-11 and page 12, lines 16-25 of the specification and by Fig. 6 and the corresponding discussion (the term "order" is sometimes used instead of "position.")

As understood, the methods disclosed in Lawrence apply only to games that are position-independent, such as standard poker games, and not to position-dependent games such as slot games. Similar amendments have been made to claims 14, 25, 36 and 44. Accordingly, Applicant's attorney believes that the rejections of the independent claims of this application should be withdrawn.

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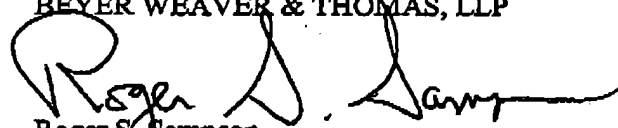
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New claims 47-51 are also allowable on separate grounds. Each of these claims recites, "determining whether replacement symbols are available," or the like. Lawrence, as understood, teaches a method applicable to games such as standard poker, wherein a drawn card is used once and not replaced. Lawrence does not appear to teach a method pertaining to, e.g., multiple-deck poker wherein the same card could be drawn more than once for each hand.

Conclusion

Applicant's Attorney believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,
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